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August 29, 2022

**Via CM/ECF**

The Honorable C.J. James D. Peterson  
United States District Court for the  
Western District of Wisconsin  
120 N. Henry Street  
Madison, WI 53703

Re: *Carey et al., v. WEC et al.*, No. 22-cv-402-jdp

Dear Chief Judge Peterson,

Plaintiffs submit this letter in response to the Court's question at the Wednesday, August 24, 2022 hearing regarding whether the above-referenced case can be resolved as a matter of summary judgment. (Dkt. 36, 6:16-18, 41:21-24.)

Plaintiffs do not believe that further development of the record before the Court is necessary. Consequently, it is Plaintiffs' position that the Court may resolve this action as a matter of summary judgment under Fed. R. Civ. P. 56 on the current record, and order appropriate final, rather than simply preliminary, relief.

Nevertheless, Plaintiffs reserve all rights to pursue further factual and legal development if the Court declines to issue such final relief.

Thank you.

/s/ Scott B. Thompson

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